

FORM PTO-1390 (REV. 12-2001)		U.S. DEPARTMENT OF COMMERCE; PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 045453.001	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/502239	
INTERNATIONAL APPLICATION NO. PCT/EP03/00744	INTERNATIONAL FILING DATE 24 January 2003 (24.01.2003)		PRIORITY DATE CLAIMED 25 January 2002 (25.01.2002)		
TITLE OF INVENTION DEVICE FOR THE PRODUCTION OF ANASTOMOSES BETWEEN HOLLOW ORGANS					
APPLICANT(S) FOR DO/EO/US SCHUBERT, Heinrich					
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 					
Items 11 to 20 below concern document(s) or information included:					
<ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> a. Specification (12 pages), Claims (3 pages), Abstract (1 page), and Drawings (4 sheets, depicting Figs. 1-7); b. Power of Attorney (1 page); c. International Publication No. WO 03/061487 A1 (22 pages); d. Form PCT/IB/301 Notification of Receipt of Record Copy (2 pages); e. Form PCT/IB/304 Notification Concerning Submission or Transmittal of Priority Document (1 page); f. Form PCT/IB/308 Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (1 page); g. International Search Report (4 pages); h. International Preliminary Examination Report (3 pages); i. Certificate of Mailing Under 37 CFR § 1.10 (1 page); and j. Return Receipt Postcard. 					

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																					
107502239		PCT/EP03/00744	045453.001																				
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1060.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$900.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO \$750.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$720.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p>		CALCULATIONS PTO USE ONLY																					
ENTER APPROPRIATE BASIC FEE AMOUNT		= \$ 900.00																					
<p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> <th style="width: 10%;">\$</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>18 - 20 =</td> <td>0</td> <td>x \$18.00</td> <td>\$</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$86.00</td> <td>\$</td> </tr> <tr> <td colspan="2">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td></td> <td>+ \$280.00</td> <td>\$</td> </tr> </tbody> </table>		CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total Claims	18 - 20 =	0	x \$18.00	\$	Independent Claims	1 - 3 =	0	x \$86.00	\$	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$	TOTAL OF ABOVE CALCULATIONS	= \$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$																			
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Independent Claims	1 - 3 =	0	x \$86.00	\$																			
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$																			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		SUBTOTAL	= \$																				
<p>Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f))</p>		TOTAL NATIONAL FEE	= \$																				
<p>Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.</p>		TOTAL FEES ENCLOSED	= \$ 900.00																				
		Amount to be refunded:	\$																				
		charged:	\$																				
<p>a. <input checked="" type="checkbox"/> Checks in the amount of \$900.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4300. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>																							
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>																							
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Customer No.: 25,461</p> <p>SMITH, GAMBRELL & RUSSELL, LLP 1230 Peachtree Street, N.E. Suite 3100, Promenade II Atlanta, GA 30309-3592 Telephone: (404) 815-3706 Facsimile: (404) 685-7006</p> <p> SIGNATURE Eric J. Hanson NAME</p> <p>44,738 REGISTRATION NUMBER</p>																							

10/502239

DT03 Rec'd PCT/PTO 22 JUL 2004

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to:

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: DO/EO/US

on July 22, 2004

EV462306030US

Express Mail Label No. EV462306030US

Lucy Kimsey
Signature

Lucy Kimsey

Inventor(s) : SCHUBERT, Heinrich
Serial No. : To Be Assigned
Filing Date : Concurrent Herewith
Title : Device for the Production of Anastomoses Between Hollow Organs
Atty. Dkt. No. : 045453.001

The correspondence includes the following documents:

1. \$900.00 Check for Filing Fee;
2. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 (2 pages, in duplicate);
3. Specification (12 pages), Claims (3 pages), Abstract (1 page), and Drawings (4 sheets, depicting Figs. 1-7);
4. Preliminary Amendment (7 pages);
5. Declaration (2 pages);
6. Power of Attorney (1 page);
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11. International Search Report (4 pages);
12. International Preliminary Examination Report (3 pages);
13. Form PTO/SB/08a Information Disclosure Statement with 1 foreign patent reference (23 pages);
14. Certificate of Mailing Under 37 CFR §1.10 (1 page); and
15. Return Receipt Postcard.